

June 15, 2012

SUBMITTED ELECTRONICALLY VIA ECFS

Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

Re: Petition for Waiver of Chevra Hatzalah Volunteer Ambulance Corps, Inc.; CC Docket
No. 91-281; NOTICE OF EX PARTE PRESENTATION

Dear Ms. Dortch:

On June 14, 2012, David Cohen and Mechel Handler of Chevra Hatzalah Volunteer Ambulance Corps, Inc. ("Hatzalah") and its undersigned counsel met with Kris Monteith, Mark Stone, Michael Jacobs, Kurt Schroeder, Richard Smith and Nancy Stevenson, all of the Consumer and Government Affairs Bureau, regarding the above-referenced matter.

In the meeting, we reiterated the importance of the services that Hatzalah provides and the importance of Hatzalah obtaining the telephone number of the person calling it. We pointed out that Hatzalah limits access to telephone numbers it obtains and that, as a provider of medical services, it rigorously protects the privacy of those it serves. We also noted, as stated in our pleadings in this proceeding, that Hatzalah is the only volunteer ambulance service in the county to be granted a Level C priority restoration designation from the U.S. Department of Homeland Security and that it has been recognized by several third parties for the work that it performs. Copies of those letters of commendation were distributed at the meeting and are attached. Finally, we noted that New York's Senator Chuck Schumer recently sent a letter in support of Hatzalah's request, a copy of which is attached. Additional detail on the points covered in the meetings is summarized in the attached presentation, which was also provided to the meeting participants.

Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, P.C.

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Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, P.C.

Marlene H. Dortch
June 15, 2012
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Pursuant to section 1.1206(b) of the Commission's rules, a copy of this letter and attachments are being filed electronically in the Electronic Comment Filing System and served electronically on the Commission participants in each meeting.

Sincerely,

/s/Russell H. Fox

Russell H. Fox

Attachments

cc: (each with attachments)
Kris Monteith
Mark Stone
Michael Jacobs
Kurt Schroeder
Richard Smith
Nancy Stevenson



Volunteer Ambulance Services

CHEVRA HATZALAH VOLUNTEER AMBULANCE CORPS INC.

FCC Meeting
June 14, 2012

Background

- Founded in 1965.
- The largest volunteer ambulance corps in the country.
- Respond to over 50,000 calls a year.
- Over 70 ambulances in operation through NYC metropolitan area and in other NY counties.
- Over 1000 volunteer EMTs and 180 paramedics, plus doctors.
- Respond within 2-4 minutes of receiving a call.

Call Protocol

- Unblocked Wireline Calls –
 - Receive caller's telephone number from Verizon.
 - Receive caller's location information from Verizon.
- Unblocked Wireless Calls –
 - Receive caller's telephone number.
 - No location information.
- Blocked Wireline and Wireless Calls –
 - No telephone number.
 - No location information.

Unblocking Would...

- For wireline calls, allow –
 - Call back to calling party.
 - Verizon to provide location information.
- For wireless calls, allow –
 - Call back to calling party.
 - Hatzalah to negotiate with Verizon Wireless and others to get location information.
 - A rapidly increasing percentage of calls come from wireless numbers and having a caller's number is the first step to getting location information.

Section 64.1601(b) Should Not Apply

- The rule prohibits a carrier from revealing a caller's name or number on request.
- However, when the FCC adopted the rule, it recognized that it might jeopardize emergency services.
- It therefore exempted calls to PSAPs.
- However, other calls to emergency services remain jeopardized.

Section 64.1601(b) Should Not Apply

- This is precisely the type of situation about which the Commission was concerned when it recognized that blocking would jeopardize emergency services.
 - If someone calls Hatzalah, they want one thing – help from Hatzalah.
 - Hatzalah can only help if they can reach the caller.
 - To reach the caller, Hatzalah sometimes needs caller information.
 - Calls may be dropped or unintelligible.
 - Even when Hatzalah knows a caller's location, being able to call back can provide it with information that facilitates better or faster service.
 - Therefore, the Commission should find that callers have given implicit consent to release of CPN when they call Hatzalah.

A Waiver Would Not Undermine the Rule

- This is a unique instance where a caller would **not** want the protection of number blocking.
- For the same reason 911 calls are unblocked for PSAPs, the Commission can find that a Hatzalah caller expects their number to be unblocked to Hatzalah.
- The public interest would be better served by waiver of, rather than adherence to, the rule.
- Hatzalah does not advocate a change in the rules – it qualifies for a rule waiver.

FCC Action Can Be Limited

- Grant of Hatzalah's waiver request would not lead to grant of waivers to every other ambulance service.
 - Hatzalah is the nation's largest volunteer ambulance service.
 - It serves the densest urban area in the country.
 - Provides specialized services to a unique population in New York.
 - No other private ambulance service has received authority (based on a rigorous application process) to provide service to an entire borough, let alone all five NYC boroughs.
 - Hatzalah has been designated Category C TSP priority in the National Communications System by the Department of Homeland Security -- the only non-government ambulance service to receive this designation.
 - The FCC has created a special frequency assignment for Hatzalah, within spectrum otherwise available for railroad operations.

THE COUNCIL



CITY OF NEW YORK



Proclamation

hereas:

The Council of the City of New York is proud and pleased to honor an organization whose achievements and contributions to the life of the community and the City of New York have been particularly distinguished; and

WHEREAS: *Chevra Hatzalah was founded some 30 years ago, to provide volunteer emergency first aid response and ambulance service. Hatzalah, which translates from Hebrew as "emergency assistance", has over the years evolved to its preeminent status as the largest volunteer ambulance corps serving the entire New York Metropolitan area, as well as the largest volunteer ambulance corps in the nation. With 800 volunteers, most of whom are trained emergency-care providers, Hatzalah operates 24 hours a day, seven days a week, throughout New York City; and*

WHEREAS: *Chevra Hatzalah has a fleet of 60 fully-equipped ambulances and a massive fleet of 700 first response units. By maintaining close communication with local hospitals, Hatzalah is able to expedite treatment and advocate on patients' behalf. Hospitals continually update Hatzalah's dispatchers on the status of their emergency rooms, so that critically ill patients can be diverted to available hospitals when others are at capacity; and*

WHEREAS: *Chevra Hatzalah depends solely on private donations from individual, communal and foundation gifts. In this way, it maintains its independence, minimizes bureaucracy and optimizes its life-saving services to the community; and*

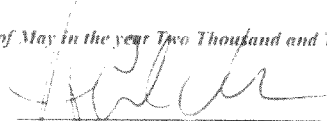
WHEREAS: *Chevra Hatzalah played a pivotal role in the World Trade Center rescue operations. It was one of the first ambulances to arrive following the first plane crash on September 11, 2001. By the time the second airplane crashed into the second tower, there were two dozen Hatzalah ambulance on the scenes, including Hatzalah's Communications and Command Center trailer, and more than one hundred Hatzalah emergency medical technicians, paramedics and doctors. During the first few hours, over one hundred twenty-five patients were transported to area hospitals by Hatzalah ambulances; and*

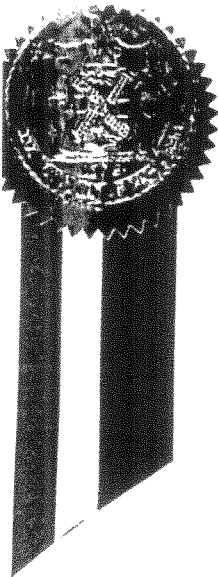
WHEREAS: *In addition, Hatzalah rescued thousands of men, women and children, who escaped to the docks near the Holocaust Museum in Battery Park and helped evacuate these people onto boats headed for New Jersey; now, therefore*

BE IT KNOWN: *That The Council of the City of New York honors*

CHEVRA HATZALAH

Signed this 14th day of May in the year Two Thousand and Two.


CLIFFORD MILLER, Speaker



THE REGIONAL EMERGENCY MEDICAL SERVICES COUNCIL OF NEW YORK CITY, INC.



475 Riverside Drive
Suite 1929
New York, NY 10115
TEL: (212) 870-2301
FAX: (212) 870-2302
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March 31, 2005

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Executive Director, Operations

TAX EXEMPT
NOT-FOR-PROFIT CORPORATION

Honorable Michael R. Bloomberg
Mayor, City of New York
City Hall
New York, NY 10007

Dear Mayor Bloomberg:

The Regional Emergency Medical Services Council of New York City, established by authority of Section 3003 of the New York State Public Health Law, has the statutory responsibility, with the oversight of the New York State Commissioner and Department of Health, for coordination of emergency medical services (EMS) within New York City.

As its current Chair, I write to bring to your attention the outstanding contributions of the Chevra Hatzalah Volunteer Ambulance Corps to the people of the City of New York, and the great potential that exists to adapt certain of its practices to the benefit all the citizens of our great City, through targeted enhancements of our regional EMS operations.

As you are aware, Chevra Hatzalah is an all volunteer EMS agency that accepts *not one penny* in support from governmental agencies at any level. At the same time, it provides to all who request it prehospital emergency medical care that, were it to be obtained from non-volunteer EMS agencies, would have market value of an estimated *\$10,000,000 per year*.

Still even more impressive, it delivers this care within a time frame that is truly the envy of the world. Its average response time for high priority calls, such as cardiac arrest and difficulty breathing, is 2-4 minutes. This is because it utilizes both a highly advanced, state-of-the-art, electronic dispatch system, and a unique, first-responder-based, dispatch procedure.

Briefly, its system is designed to relay a request for assistance to nearby EMS providers within seconds of call receipt. These providers are not ambulance-based, but are instead community-based, in their homes, and places of worship and work. Thus, when called via radio, they travel directly to the patient, rather than going first to the ambulance.

- continued -

THE REGIONAL EMERGENCY MEDICAL SERVICES COUNCIL OF NEW YORK CITY, INC.

March 31, 2005

Honorable Michael R. Bloomberg

Mayor, City of New York

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Simultaneously, as the EMS personnel nearest the emergency go directly to the patient's aid, carrying the necessary equipment to initiate emergency medical care, the EMS personnel nearest the ambulance take it to the patient's side. Thus, the first critical minutes of resuscitation are spent in direct patient care, as well as ambulance travel time.

In writing this letter, I do not mean to suggest that the dispatch systems and procedures of EMS agencies participating in the New York City 911 Emergency Medical System are anything less than the finest available anywhere. Yet, it is clear that, in harnessing the power of volunteerism and innovation, Chevra Hatzalah has lessons to teach us all.

I am sure that Chevra Hatzalah would be honored to show you, as they have us, the astonishing capabilities of their agency first hand. By copy of this letter, I will ask them to call your office to request a personal visit to their Brooklyn headquarters, where their dispatch center is located. I assure you it will be well worth your time. With our sincere thanks.

Sincerely yours,



Arthur Cooper, M.D., F.A.C.S., F.A.A.P., F.C.C.M., Chair

cc: Rabbi Mechel Handler, Executive Director
Chevra Hatzalah Volunteer Ambulance Corps

THE REGIONAL EMERGENCY MEDICAL SERVICES COUNCIL OF NEW YORK CITY, INC.



475 Riverside Drive
Suite 1370
New York, NY 10115-1370
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May 17, 2000

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Executive Director, Administration

Marie Diglio
Executive Director, Operations

Rabbi Mechel Handler
Chevra Hatzalah V.A.C
1340 East 9 Street
Brooklyn, NY 11230

Dear Rabbi Handler:

Congratulations to you and Chevra Hatzalah Volunteer Ambulance Corps. on being selected as the **EMS Agency of the Year** by the Regional Emergency Medical Services Council of New York City. You are invited to attend the Regional EMS Council of New York City EMS Awards Ceremony being held on Tuesday, May 30, 2000. Your organization will be one of the several individuals and agencies honored for dedication to the profession of Prehospital Emergency Medical Care.

The EMS Awards Ceremony will be held at the Offices of the Regional EMS Council, 475 Riverside Drive, Ground Floor, New York City. A buffet dinner will follow the presentation of awards.

Please contact the Offices of the Regional EMS Council to confirm your attendance. As an award recipient, guests may accompany you. Please contact us with regards to the number of guests who will be attending.

Once again, congratulations on a job well done and for promoting the New York City Regional Emergency Medical Services System.

Sincerely,

Walter F. Pizzi, MD, Chair
Board of Directors
Regional Emergency Medical Services
Council of New York City, Inc.

Louis Deutsch, Chair
Regional Emergency Medical Services
Council of New York City

United States Senate

WASHINGTON, DC 20510

June 13, 2012

COMMITTEES:
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FINANCE
JUDICIARY
RULES

The Honorable Julius Genachowski
Chairman
Federal Communications Commission
445 12th Street NW
Washington, DC 20554

Dear Chairman Genachowski,

I write in support of Chevrah Hatzalah's petition for a limited waiver of Section 64.1601(b) of the rules governing the transmission of calling party numbers ("CPNs") by carriers on the terminating end of the call (CC Docket No. 91-281). Hatzalah is seeking a waiver so that carriers may transmit to it the restricted CPNs of callers to Hatzalah's emergency services telephone number.

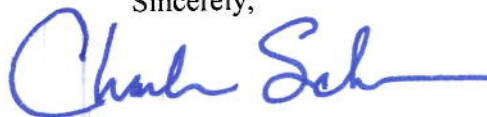
Chevrah Hatzalah is a non-profit organization which provides free emergency medical transportation and treatment to all who need it. Founded in New York City in 1965, it is the largest all-volunteer ambulance service in the country. Hatzalah is both popular and successful, responding to over 50,000 calls per year. While Hatzalah has a very sophisticated dispatch system, its services are hindered when incoming calls come from blocked numbers, especially blocked wireless numbers.

Section 64.1601(b) requires that carriers not transmit CPNs if a subscriber has requested his number be blocked. Generally, the regulation exempts public service answering points ("PSAPs") that provide emergency services; thus, public safety organizations can access CPNs of even blocked callers. However, because Hatzalah is a private non-profit which functions as an emergency service provider, it technically does not qualify for the regulation's general exemptions.

The service Hatzalah provides to New Yorkers is invaluable, and it is critical that they have all the tools they need to do their job. Because Hatzalah is in the unique position of being a private, non-profit organization that provides public emergency services to all who need it, they are hampered by a regulation whose intent is to help the public. While I certainly support the general prohibition on transmission of CPNs for callers who have requested that their numbers be blocked, I believe that a waiver in Hatzalah's case is appropriate and consistent with the spirit of the underlying regulation. Here, strict compliance with the regulation would not be in the public interest, and thus a waiver would be appropriate.

I understand that the Commission is in the process of considering Hatzalah's waiver petition, and I hope that its review will be completed swiftly and favorably so that Hatzalah can continue to provide New Yorkers with high quality, no-cost emergency medical services.

Sincerely,



Charles E. Schumer
United States Senator

